

and decorations received by Senate members, officers and employees and their spouses or dependents;

(g) Preamble to Senate Resolution 266, 90th Congress, 2d Session, March 22, 1968; and

(h) The Code of Ethics for Government Service, H. Con. Res. 175, 85th Congress, 2d Session, July 11, 1958 (72 Stat. B12). Except that S. Res. 338, as amended by Section 202 of S. Res. 110 (April 2, 1977), provides:

“(g) Notwithstanding any other provision of this section, no initial review or investigation shall be made of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provision of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may conduct an initial review or investigation of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

APPENDIX A—OPEN AND CLOSED MEETINGS

Paragraphs 5 (b) to (d) of Rule XXVI of the Standing Rules of the Senate read as follows:

(b) Each meeting of a standing, select, or special committee of the Senate, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in classes (1) through (6) would require the meeting to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

APPENDIX B—“SUPERVISORS” DEFINED

Paragraph 12 of Rule XXXVII of the Standing Rules of the Senate reads as follows:

For purposes of this rule—

(a) a Senator or the Vice President is the supervisor of his administrative, clerical, or other assistants;

(b) a Senator who is the chairman of a committee is the supervisor of the professional, clerical, or other assistants to the committee except that minority staff members shall be under the supervision of the ranking minority Senator on the committee;

(c) a Senator who is a chairman of a subcommittee which has its own staff and financial authorization is the supervisor of the professional, clerical, or other assistants to the subcommittee except that minority staff members shall be under the supervision of the ranking minority Senator on the subcommittee;

(d) the President pro tempore is the supervisor of the Secretary of the Senate, Sergeant at Arms and Doorkeeper, the Chaplain, the Legislative Counsel, and the employees of the Office of the Legislative Counsel;

(e) the Secretary of the Senate is the supervisor of the employees of his office;

(f) the Sergeant at Arms and Doorkeeper is the supervisor of the employees of his office;

(g) the Majority and Minority Leaders and the Majority and Minority Whips are the supervisors of the research, clerical, and other assistants assigned to their respective offices;

(h) the Majority Leader is the supervisor of the Secretary for the Majority and the Secretary for the Majority is the supervisor of the employees of his office; and

(i) the Minority Leader is the supervisor of the Secretary for the Minority and the Secretary for the Minority is the supervisor of the employees of his office.●

FOOTNOTES

¹As amended by S. Res. 4, 95th Cong., 1st Sess. (1970), S. Res. 110, 95th Cong., 1st Sess. (1977), S. Res. 204, 95th Cong., 1st Sess. (1977), S. Res. 230, 95th Cong., 1st Sess. (1977), S. Res. 312, 95th Cong., 1st Sess. (1977), S. Res. 78, 97th Cong., 1st Sess. (1981).

²Changed by S. Res. 78 (February 24, 1981).

³Added by S. Res. 110 (April 2, 1977).

⁴Added by Section 201 of S. Res. 110 (April 2, 1977).

⁵Added by Section 205 of S. Res. 110 (April 2, 1977).

⁶Added by Section 202 of S. Res. 110 (April 2, 1977).

⁷Changed by Section 202 of S. Res. 110 (April 2, 1977).

⁸Added by Section 204 of S. Res. 110 (April 2, 1977).

⁹Added by S. Res. 230 (July 25, 1977).

¹⁰Added by Section 204 of S. Res. 110 (April 2, 1977).

¹¹Changed by Section 204 of S. Res. 110 (April 2, 1977).

¹²Section added by S. Res. 312 (Nov. 1, 1977).

¹³Section added by Section 206 of S. Res. 110 (April 2, 1977).

TRIBUTE TO CHARLES MANDEL

● Mr. TORRICELLI. Mr. President, I rise today to recognize the remarkable accomplishments of Charles Mandel as he prepares to receive the Chaver Award from the Highland Park Conservative Temple and Center. Charlie was born in Jersey City, where he graduated from William L. Dickson High School in 1935. He then went on to graduate from Rutgers University with a degree in ceramic engineering in 1939. For the next 42 years, Charlie worked as a plant manager and ceramic engineer with the Willett Company. Following his retirement, Charlie has continued to serve as a consulting engineer for New Jersey Porcelain Company and Lenape Products Company in Trenton, New Jersey.

Charlie has been affiliated with the temple since 1953. After officially joining the temple in January 1955, he was appointed Gabbai and continues as Senior Gabbai to this day. Charlie has also served on the Bimah with every temple President from Harry Kroll to the current President, Ed Guttenplan. In addition to these duties, Charlie has played an integral role in the temple's daily management. He was elected to the Temple Board of Trustees in 1955 and has remained there continuously, as a Trustee, Recording Secretary and Financial Secretary. In recognition of his loyalty and commitment, he was granted Honorary Life Membership to the Board of Trustees, a position held by only four other people.

Charlie has been active on the Religious Committee, House Committee, Bazaar Committee, and has had the unique experiences of serving on the Rabbinical Search Committees for both Rabbi Yakov Hilsenrath and Rabbi Eliot Malomet. In addition, he was chairman of the Special Fund Raising Committee for forty years. The Special Fund Raising Committee has long been a euphemism for Bingo, which balanced the budget for forty years. Charlie's dedication to managing Bingo resulted in his giving up a myriad of social and family functions on Tuesday evenings.

There probably is not an inch of the temple building that has not benefitted from Charlie's commitment and dedication. He has always been willing to give himself to the temple in any capacity whenever and wherever called upon. The entire temple community has been enriched by Charlie's presence, and they are grateful for his support through the years.●

APPOINTMENT BY THE DEMOCRATIC LEADER

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 105-277, announces the appointment of the following individuals to serve as members of the Parents Advisory Council on Youth Drug Abuse: Darcy L. Jensen, of South Dakota (Representative of Non-Profit Organization), and Dr. Lynn McDonald, of Wisconsin.

MEASURE READ THE FIRST TIME—S.J. Res. 11

Mr. JEFFORDS. I understand that S.J. Res. 11, which was introduced earlier today by Senator SMITH of New Hampshire, is at the desk, and I ask that it be read for the first time.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows.

A joint resolution (S.J. Res. 11) prohibiting the use of funds for military operations in the Federal Republic of Yugoslavia (Serbia and Montenegro) unless Congress enacts specific authorization in law for the conduct of those operations.

Mr. JEFFORDS. I now ask for its second reading, and I would object to my own request.

The PRESIDING OFFICER. Objection is heard.

RESTORATION OF MANAGEMENT AND PERSONNEL AUTHORITY OF THE MAYOR OF THE DISTRICT OF COLUMBIA

Mr. JEFFORDS. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 433, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 433) to restore the management and personnel authority of the Mayor of the District of Columbia.

There being no objection, the Senate proceeded to consider the bill.

Mr. JEFFORDS. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid on the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 433) was read the third time and passed.

ORDERS FOR WEDNESDAY, FEBRUARY 24, 1999

Mr. JEFFORDS. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, February 24. I further ask consent that on Wednesday, immediately following the prayer, the Journal of pro-

ceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then resume consideration of S. 4, the military bill of rights act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JEFFORDS. I further ask unanimous consent that the time until 9:45 a.m. be equally divided between the chairman and ranking member, and following that debate the Senate proceed to vote on or in relation to the Sarbanes-Warner amendment regarding civilian pay, to be followed immediately by a vote on or in relation to the Cleland amendment regarding Thrift Savings. Finally, I ask unanimous consent that no second-degree amendments be in order to the Warner and Cleland amendments prior to the votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. JEFFORDS. For the information of all Senators, the Senate will reconvene tomorrow morning at 9:30 and, following a short period of debate, will proceed to the two back-to-back rollcall votes. The first vote on or in relation to the Sarbanes-Warner amendment will occur at 9:45 a.m., to be immediately followed by a rollcall vote on or in relation to the Cleland amendment. Following those votes, the Senate will continue consideration of S. 4. Rollcall votes are expected throughout Wednesday's session and into the evening as the Senate attempts to complete action on the bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. JEFFORDS. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:26 p.m., adjourned until Wednesday, February 24, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate February 23, 1999:

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

PAULA J. DOBRIANSKY, OF VIRGINIA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2001. (RE-APPOINTMENT)

EXECUTIVE OFFICE OF THE PRESIDENT

GEORGE T. FRAMPTON, JR., OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE COUNCIL ON ENVIRONMENTAL QUALITY, VICE KATHLEEN A. MCGINTY, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. WILLIAM C. JONES, JR., 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL V. HAYDEN, 0000.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. ALAN D. JOHNSON, 0000.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. REGINALD A. CENTRACCHIO, 0000.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. EDWARD J. FAHY, JR., 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DANIEL R. BOWLER, 0000.
REAR ADM. (LH) JOHN E. BOYINGTON, JR., 0000.
REAR ADM. (LH) JOHN V. CHENEVEY, 0000.
REAR ADM. (LH) ALBERT T. CHURCH, III, 0000.
REAR ADM. (LH) JOHN P. DAVIS, 0000.
REAR ADM. (LH) JOHN B. POLEY, III, 0000.
REAR ADM. (LH) VERONICA A. FROMAN, 0000.
REAR ADM. (LH) KEVIN P. GREEN, 0000.
REAR ADM. (LH) ALFRED G. HARMS, JR., 0000.
REAR ADM. (LH) JOHN M. JOHNSON, 0000.
REAR ADM. (LH) TIMOTHY J. KEATING, 0000.
REAR ADM. (LH) ROLAND B. KNAPP, 0000.
REAR ADM. (LH) TIMOTHY W. LAFLEUR, 0000.
REAR ADM. (LH) JAMES W. METZGER, 0000.
REAR ADM. (LH) RICHARD J. NAUGHTON, 0000.
REAR ADM. (LH) JOHN B. PADGETT, 0000.
REAR ADM. (LH) KATHLEEN K. PAIGE, 0000.
REAR ADM. (LH) DAVID F. POLITY, III, 0000.
REAR ADM. (LH) RONALD A. ROUTE, 0000.
REAR ADM. (LH) STEVEN G. SMITH, 0000.
REAR ADM. (LH) RALPH E. SUGGS, 0000.
REAR ADM. (LH) PAUL F. SULLIVAN, 0000.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

CAPTAIN NICHOLAS A. PRAHL, NOAA FOR APPOINTMENT TO THE GRADE OF REAR ADMIRAL (0-7), WHILE SERVING IN A POSITION OF IMPORTANCE AND RESPONSIBILITY AS DIRECTOR, ATLANTIC AND PACIFIC MARINE CENTERS, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, UNDER THE PROVISIONS OF TITLE 33, UNITED STATES CODE, SECTION 853U.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HERewith:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS ONE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

CONSTANCE A. CARRINO, OF THE DISTRICT OF COLUMBIA
MICHAEL E. HASE, OF OREGON
CAROL PAYNE, OF WASHINGTON
JOHN KENT SCALES, OF VIRGINIA

DEPARTMENT OF STATE

HARRY ARTHUR BLANCHETTE, OF FLORIDA
SAMUEL ANTHONY RUBINO, OF NEW HAMPSHIRE

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS TWO, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

TIMOTHY THOMAS BEANS, OF VIRGINIA
ROSS EDGAR BIGELOW, OF TEXAS
REBECCA RANDOLF WALLACE BLACK, OF CALIFORNIA
LARRY HALL BRADY, OF WYOMING
SCOT J. CONVERT, OF MICHIGAN
WOLFGANG HOPPE, OF FLORIDA
THOMAS EDWARDS JOHNSON, JR., OF CALIFORNIA
KRISTIN K. LOKEN, OF FLORIDA